

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BARBARA A. HAWES,

Plaintiff,

vs.

No. 2:13-cv-10063
Hon. Gerald E. Rosen

BANK OF AMERICA, N.A., et al.,

Defendants.

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OPINION AND ORDER

On August 12, 2013, this Court entered an Opinion and Order concluding that Plaintiff's Amended Complaint failed to allege sufficient facts to create a cause of action under 15 U.S.C. § 1682s-2(b). However, because Plaintiff proffered additional evidence procured through discovery responses that could potentially cure Plaintiff's defective pleading, this Court ordered that "Plaintiff has thirty (30) days to submit its Second Amended Complaint in accordance with [the August 12, 2013] Opinion and Order. Failure to do so may result in dismissal with prejudice." (Aug. 12, 2013 Opinion and Order, Dkt. # 34, at 11). This deadline has now come and gone without Plaintiff having submitted a Second Amended Complaint. Accordingly, this Court now dismisses Plaintiff's Amended Complaint with prejudice.

For all of the foregoing reasons,

IT IS HEREBY ORDERED that Plaintiff's Amended Complaint is dismissed, with prejudice.

IT IS SO ORDERED.

Dated: October 2, 2013

s/Gerald E. Rosen

GERALD E. ROSEN

CHIEF, U.S. DISTRICT COURT

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 2, 2013, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, 313-234-5135